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RCE/11700

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Date of Deposit: September 12, 2003

DOCKET NO. C0698.70138US00 (97046CIPDIV)

**REQUEST FOR CONTINUED
EXAMINATION (RCE)
TRANSMITTAL**

Subsection (b) of 35 U.S.C. § 132, effective on May 29, 2000, provides for continued examination of an utility or plant application filed on or after June 8, 1995. See The American Inventors Protection Act of 1999 (AIPA).

| | |
|----------------------|------------------------|
| Application Number | 09/864,817 |
| Confirmation Number | 3443 |
| Filing Date | May 24, 2001 |
| First Named Inventor | Stephen A. Constantino |
| Group Art Unit | 1762 |
| Examiner Name | Tsoy, Elena |

This is a Request for Continued Examination (RCE) under 37 C.F.R. § 1.114 of the above-identified application.

NOTE: 37 C.F.R. § 1.114 is effective on May 29, 2000. If the above-identified application was filed prior to May 29, 2000, you may wish to consider filing a continued prosecution application (CPA) under 37 C.F.R. § 1.53 (d) instead of an RCE to be eligible for the patent term adjustment provisions of the AIPA.

1. Submission required under 37 C.F.R. § 1.114**a. Previously submitted**

- i. ☐ Consider the amendment(s)/reply under 37 C.F.R. § 1.116 previously filed on .
(Any unentered amendment(s) referred to above will be entered.)
- ii. ☐ Consider the arguments in the Appeal Brief or Reply Brief previously filed on .
- iii. ☐ Other:

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b. Enclosed is/are:

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750.00 OP

- i. ☐ Amendment/Reply
- ii. ☐ Affidavit(s)/Declaration(s)
- iii. ☒ Information Disclosure Statement (IDS)
- iv. ☐ Other:

2. Miscellaneous

- a. ☐ Suspension of action on the above-identified application is requested under 37 C.F.R. § 1.103(c) for a period of ___ months. (Period of suspension shall not exceed 3 months) and the Fee of \$130.00 under 37 C.F.R. § 1.17(i) is enclosed.
- b. ☐ Other:

3. Fees – The RCE fee under 37 C.F.R. §1.17(e) is required by 37 C.F.R. §1.114 when the RCE is filed.

- a. ☒ Enclosed is a check in the amount of \$750.00 which covers:
 - i. ☒ RCE fee required under 37 C.F.R. § 1.17(e)
 - ii. ☐ Extension of time fee (37 C.F.R. §§ 1.136 and 1.17)
 - iii. ☐ Fee for Information Disclosure Statement

4. If the filing of this RCE necessitates an extension of time under 37 CFR §1.136(a), the applicant hereby requests such extension of time.H20
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If there is no check enclosed, or if the amount of the enclosed check in this RCE is incorrect, the Director is hereby authorized to charge any deficiency or credit any overpayment to Deposit Account No. 23/2825.

6. CORRESPONDENCE ADDRESS

Correspondence address below

| | | | | | |
|---|---|------------------|----------------|------------|----------------|
| ATTORNEY'S NAME | Martha Ann Finnegan, Reg. No. 31,453 | | | | |
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| 7. SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT REQUIRED | | | | | |
| NAME | Robert H. Walat, Reg. No. 46,324 | | | | |
| SIGNATURE |  | | | | |
| DATE | September 12, 2003 | | | | |